

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-10 are pending in the present application. Claims 1, 7, and 10 are amended by the present amendment.

In the outstanding Office Action, Claim 10 was objected to; Claims 1 and 3-10 were rejected under 35 U.S.C. § 102(b) as anticipated by Flosdorf et al. (U.S. Patent No. 2,608,472, herein "Flosdorf"); and Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Flosdorf in view of Aleksandro (Russian Publication SU 1535565).

Regarding the objection to Claim 10, Claim 10 has been amended to recite that first and second heaters are configured to have different temperatures within a certain range and Applicants respectfully submit that amended Claim 10 further limits independent Claim 1 by requiring that the temperature of one heater is lower than the temperature of the other heater. Accordingly, it is respectfully requested this rejection be withdrawn.

Regarding the rejection of Claims 1 and 3-10 under 35 U.S.C. § 102(b) as anticipated by Flosdorf, independent Claim 1 has been amended to recite that "the precipitation roller is disposed diagonally above the evaporation roller." The claim amendment finds support in Figure 1 and in the specification at page 12, lines 8-22. No new matter has been added.

Briefly recapitulating, amended Claim 1 is directed to a device for refining an evaporable or sublimable solid material and the device includes a housing, at least one evaporation roller, and at least one precipitation roller. The precipitation roller and the evaporation roller are installed in the housing and the precipitation roller is disposed diagonally above the evaporation roller. Independent Claim 7 has been amended similar to Claim 1.

In a non-limiting example, Figure 1 shows the housing 13, the evaporation roller 22, and the precipitation roller 32 disposed diagonally above the evaporation roller 22.

Applicants note that the term “above” is well defined in the context of the claimed invention because a material that is evaporated by the evaporation roller raises from the evaporation roller to the precipitation roller, i.e., from a low level to a high level such that the high level is above the low level.

Turning to the applied art, Flosdorf shows in the figure a cylinder 10 that is asserted by the outstanding Office Action to correspond to the claimed evaporation roller and a cylinder 19 that is asserted by the outstanding Office Action to correspond to the claimed precipitation roller. However, Flosdorf does not teach or suggest that the cylinder 19 is disposed diagonally above the cylinder 10 as required by amended Claims 1, 5, and 7.

Accordingly, it is respectfully requested that independent Claims 1 and 7 and each of the claims depending therefrom patentably distinguish over Flosdorf.

Regarding the rejection of Claim 2 under the combination of Flosdorf and Aleksandro, that rejection is respectfully traversed because Aleksandro has been considered but does not cure the deficiencies of Flosdorf discussed above. In addition, Claim 2 depends from independent Claim 1, which is believed to be allowable as noted above.

Accordingly, it is respectfully submitted that dependent Claim 2 is also allowable.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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